

490.125 Filing duty of secretary of state.

1. If a document delivered to the office of the secretary of state for filing satisfies the requirements of [section 490.120](#), the secretary of state shall file it.

2. The secretary of state files a document by recording it as filed on the date and time of receipt. After filing a document, except the biennial report required by [section 490.1621](#), and except as provided in [section 490.503](#), the secretary of state shall return to the person who delivered the document for filing a copy of the document with an acknowledgment of the date and time of filing.

3. If the secretary of state refuses to file a document, it shall be returned to the person who delivered the document for filing within five days after the document was delivered, together with a brief, written explanation of the reason for the refusal.

4. The secretary of state's duty to file documents under [this section](#) is ministerial. The secretary of state's filing or refusing to file a document does not create a presumption of any of the following:

a. The document does or does not conform to the requirements of [this chapter](#).

b. The information contained in the document is correct or incorrect.

[89 Acts, ch 288, §8; 96 Acts, ch 1170, §3; 97 Acts, ch 171, §7; 2002 Acts, ch 1154, §5, 125; 2021 Acts, ch 165, §7, 230](#)

Referred to in [§490.123](#)

2021 amendment effective January 1, 2022; 2021 Acts, ch 165, §230

Section stricken and rewritten